

MARK BRNOVICH
ATTORNEY GENERAL

JENNIFER J. SANDERS (SBN: 020657/PCC 65476)
Assistant Attorney General
416 W. Congress, 2nd Floor
Tucson, Arizona 85701-1315
(520) 638-2801 ▪ Fax (520) 628-6050
Jennifer.Sanders@azag.gov

Attorneys for State Defendants

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Patrice Edmond Brown, et al.,

Plaintiffs,

v.

Maricopa County Attorney's
Office, et al.,

Defendants.

Case No.:

**NOTICE OF REMOVAL FROM STATE
COURT UNDER 28 U.S.C. § 1441(a) and 28
U.S.C. § 1446**

(Pima County Case No.: C20223190)

**TO: CLERK OF THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF ARIZONA**

Defendants, the State of Arizona, and Judges of the Superior Court Joseph Kreamer, Timothy J. Ryan, Renee T. Bennett, Gary J. Cohen, John R. Hannah, Jr., Jay R. Adleman, and Michael C. Blair (collectively, State Defendants), pursuant to 28 U.S.C. §§ 1441(a) and 1446, give notice of removal of the state court action entitled *Patrice E. Brown v. Maricopa County Attorney's Office, et al.*, case No. C20223190, currently pending in the Superior Court of the State of Arizona, Pima County, before the Honorable Casey F. McGinley to the United State district Court for the District of Arizona, and in support of removal states the following:

1. On or about July 22, 2022, Plaintiffs filed this Complaint in the Pima County Superior Court, alleging claims under the U.S. Constitution or laws of the United States.

1 2. Under 28 U.S.C. § 1441(a), this action is removable to this Court because
2 28 U.S.C. § 1331 provides this Court with original jurisdiction over Plaintiffs' claims
3 arising under the Constitution or laws of the United States. Specifically, Plaintiffs allege
4 claims against State Defendants¹ for: (1) due process rights in their criminal proceedings
5 in violation of the Fourteenth Amendment of the U.S. Constitution and Article 2 § 4 of
6 the Arizona Constitution; and (2) due process rights in Plaintiff's subsequent habeas
7 corpus proceedings in violation of the Fourteenth Amendment of the U.S. Constitution
8 under 42 U.S.C. § 1983, and Article 2 § 4 of the Arizona Constitution. (Complaint filed
9 July 22, 2022 at 4-5.)

10 3. Defendants State of Arizona, Superior Court of the State of Arizona in and
11 for Maricopa County, Judges Joseph Kreamer, Timothy J. Ryan, John R. Hannah, Jr.,
12 Jay R. Adleman, and Michael C. Blair were served on August 16, 2022.

13 4. Defendants Superior Court of the State of Arizona in and for Pima County,
14 Judges Renee T. Bennett and Gary J. Cohen were served on August 19, 2022. The
15 Maricopa County Attorneys' Office, Deputy County Attorney Andrea L. Kever
16 (Maricopa County Defendant), were served on August 16, 2022. Amanda M. Parker is
17 no longer an employee of the Maricopa County Attorneys' Office. Ms. Parker has not
18 been served.

19 5. Pima County Attorney's Office and Deputy County Attorney B. Noelle
20 Jensen (collectively, Pima County Defendants) were served on August 25, 2022.

21 6. All properly-served Defendants, namely, Judges Adelman, Hannah,
22 Kreamer, Ryan, Bennett, Cohen, and Blair, as well as Defendant Andrea L. Keaver, and
23 B. Noelle Jensen consent to this removal under 28 U.S.C. §1446 (b)(2)(A). Counsel for
24 Maricopa County Defendants and counsel for Pima County Defendants represented to
25 the undersigned on August 25, 2022, that their clients have consented to removing the
26 case to this Court.

27
28 ¹ As of the date of this filing of the notice of removal, Judge Christopher J. O'Neil has
not yet been served.

CERTIFICATE OF SERVICE

I hereby certify that on this 6th day of September, 2022, I electronically transmitted the attached document to the Clerk of Court using the CM/ECF System.

I hereby certify that on the same date, I caused the foregoing document to be electronically transmitted to the Clerk's Office using the CM/ECF System for Filing and transmittal of a Notice of Electronic Filing to the following CM/ECF registrants:

Angela Lane
Deputy County Attorney
Civil Services Division
225 West Madison Street
Phoenix, AZ 85003
lanea01@mcao.maricopa.gov
Attorneys for Maricopa County Defendants

Rebecca O'Brien
Deputy Pima County Attorney
Pima County Attorney's Office, Civil Division
32 N. Stone #2100
Tucson, AZ 85701
Rebecca.OBrien@pcao.pima.gov
Attorneys for Pima County Defendants

Honorable Casey F. McGinley
Pima County Superior Court
110 W. Congress St.
Tucson, Arizona 85701

This document will also be served on the same date on the following, who are not registered participants of the CM/ECF System:

Patrice Edmond Brown, ADC #156811
ASPC-Eyman-Cook Unit
P.O. Box 3200
Florence, Arizona 85132
Plaintiff Pro Se

Oliver M. Pryor, ADCRR #235926
ASPC-Eyman-Cook Unit
P.O. Box 3200
Florence, Arizona 85132
Plaintiff Pro Se

1 Major T. Kinney, ADCRR #052125
2 ASPC-Eyman-Cook Unit
3 P.O. Box 3200
4 Florence, Arizona 85132
5 *Plaintiff Pro Se*

6 Dennis A. Hipskind, ADCRR #250823
7 ASPC-Eyman-Cook Unit
8 P.O. Box 3200
9 Florence, Arizona 85132
10 *Plaintiff Pro Se*

11 John W. Heinden, ADCRR #137729
12 ASPC-Eyman-Cook Unit
13 P.O. Box 3200
14 Florence, Arizona 85132
15 *Plaintiff Pro Se*

16 Richard L. Jones, Sr., ADCRR #098358
17 ASPC-Eyman-Cook Unit
18 P.O. Box 3200
19 Florence, Arizona 85132
20 *Plaintiff Pro Se*

21 Ricky R. Evans, ADCRR #224982
22 ASPC-Eyman-Cook Unit
23 P.O. Box 3200
24 Florence, Arizona 85132
25 *Plaintiff Pro Se*

26 Jose L. Tarrazas, ADCRR #080573
27 ASPC-Eyman-Cook Unit
28 P.O. Box 3200
29 Florence, Arizona 85132
30 *Plaintiff Pro Se*

31 Ronnie H. Lynch, ADCRR #148342
32 ASPC-Eyman-Cook Unit
33 P.O. Box 3200
34 Florence, Arizona 85132
35 *Plaintiff Pro Se*

36 s/ L. Crudup
37 _____
38 Legal Secretary
39 #10625993